

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SANDRA L. EDDY,

Plaintiff,

vs.

BELLEVUE BERRY FARMS, INC.,
EDWARD A. SCHAEFER A TRUSTEE
LIVING TRUST, and DOES 1-5,

Defendants.

8:18CV221

FOURTH AMENDED
CASE PROGRESSION ORDER

This matter comes before the Court on the defendant's Motion to Extend Deadlines ([Filing No. 51](#)). After review of the motion, the Court finds good cause to grant the requested extensions. Accordingly,

IT IS ORDERED that the Motion to Extend Deadlines ([Filing No. 51](#)) is granted, and the third amended final progression order is amended as follows:

- 1) The status conference scheduled for June 19, 2020, is cancelled. The trial and pretrial conference will not be set at this time. A status conference to discuss case progression, dispositive motions, the parties' interest in settlement, and the trial and pretrial conference settings will be held with the undersigned magistrate judge on **July 31, 2020**, at **9:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 2) The deposition deadline remains **July 31, 2020**.
- 3) The deadlines for complete expert disclosures¹ for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the defendants:	July 31, 2020
Plaintiff's rebuttal:	August 14, 2020

- 4) The deadline for filing motions to dismiss and motions for summary judgment remains **September 1, 2020**.
- 5) The deadline for filing motions to exclude testimony on *Daubert* and related grounds remains **September 1, 2020**.

¹ While treating medical and mental health care providers are generally not considered "specially retained experts," not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert's treatment records and reports must be separately and timely disclosed.

- 6) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 7) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 5th day of June, 2020.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge